

---

**CHAPTER 12                    COMPENSATION AND WORK HOURS**

- 12-1    Work Hours
- 12-2    Classification of Positions
- 12-3    Payroll Administration
- 12-4    Career Progression
- 12-5    Position Allocation
- 12-6    Reclassification of Positions
- 12-7    Regular Full-time and Part-time Compensation Scale
- 12-8    Temporary and Seasonal Compensation Scale
- 12-9    Fair Labor Standards Act
- 12-10   Compensatory Time
- 12-11   Standby
- 12-12   Response Time

**12-1    Work Hours**

Regular and prompt attendance at work is required of all employees. The normal workday for full-time employees shall be eight (8) hours and the normal workweek forty (40) hours, except for departments approved for alternate work schedules. The workday for public safety employees shall be determined by the needs of providing twenty-four hour a day service to the community.

Alternate work schedule: An “alternative” to the normal 5 day, 40-hour work week. Examples of alternate work schedules are:

4/10

An employee works a 40-hour work week in four 10-hour days between Monday and Friday.

9/80

An employee works eight 9-hour days and one 8-hour day in a two week period with one day off every other week that corresponds with an eight hour day.

Work conducted at City Hall shall generally begin at 8:00 a.m. and end at 5:00 p.m. with one hour (60 minutes) for lunch. However, alternate work schedules may be followed in accordance with service delivery needs. Alternate work schedules must be approved by the City Administrator, Finance Director and Payroll Coordinator.

When an employee has not scheduled time-off with his/her supervisor and does not report at the regularly scheduled time, the employee shall be considered absent.

An employee is entitled to two (2) compensated 15 minute work break periods in an 8 hour work day. Generally speaking, one in the morning and the other in the afternoon. Employees may take a 15 minute break period for every four (4) hours worked. Employees may not accumulate break periods or combine them with lunch breaks, or take them at the beginning of the day so as to arrive

late for work, or use them at the end of the day so as to leave work early. If an employee chooses to not take a break, no additional compensation will be given.

## **12-2 Classification of Positions**

The Mayor, in conjunction with the City Council shall be responsible for the development and maintenance of a uniform and equitable pay plan which shall consist of minimum, midpoint and maximum rates of pay for each classified position and such intermediate steps as deemed necessary and equitable.

Each City position shall have a job description.

The City assigns each regular position a classification code and salary range, as established by the City's Classification and Compensation Plan. The Classification and Compensation Plan reflects internal and external equities, based upon assigned duties and responsibilities and market comparisons.

Market research is carried out under the direction of the Mayor's Office.

Annually the City Council will consider the need to apply a market adjustment to any/all positions within the City. A market study of all full-time and part-time occupations will be performed annually. The market study will determine the prevailing rate (midpoint) of the position and establish a salary range. Upon completion of the market study, employees with a wage below the salary range may receive a one time adjustment to the minimum salary rate of the position. This adjustment is then effective the first pay period of the respective fiscal year.

Merit increases or "pay for performance" increases are also considered on an annual basis. The amount and distribution shall be determined annually by the City Council. These payments will be awarded following the completion of the evaluation period.

## **12-3 Payroll Administration**

In the event there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of their supervisor, the payroll coordinator, or the Mayor's Office so that corrections can be made as quickly as possible.

Brigham City Corporation reserves the right to make any and all payroll corrections as deemed necessary and appropriate.

Federal and State laws require Brigham City Corporation to keep an accurate record of time worked.

- Time worked is all time actually spent on the job performing assigned duties.
- Employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning

and ending time of any split shift or departure from work for personal reasons.

- Overtime work must be approved before it is performed.
- Altering, falsifying, tampering with the records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.
- It is the employee's responsibility to sign their time records and to certify the accuracy of all time recorded. The supervisor will review and then sign the time record before submitting it for payroll processing.
- If corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the change.

All employees are paid bi-weekly. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

- In the event that a regularly scheduled payday falls on an employee's day off or a holiday, employees will be paid in accordance with state and federal guidelines.
- If a regular payday falls during an employee's vacation, the employee's paycheck will be available upon his or her return from vacation or handled in accordance with the employee's instructions prior to leaving. Generally speaking paychecks are not distributed prior to pay day. Employees are encouraged to sign up for direct deposit to discourage such requests.
- Department heads and/or supervisors will not release paychecks or pay statements to anyone other than the employee unless written authorization is given in advance by the employee.

Employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in City approved programs. Employees should review any discrepancies in payroll deductions with the payroll coordinator.

#### **12-4 Career Progression**

Some city positions have movement within a career series. These positions are designated herein and are classified as career progression. Under career progression, employees are eligible for advancement and reclassification to the next career position or level upon completion of pre-determined requirements as opposed to being appointed to a position based upon a competitive process when a vacancy occurs.

Advancement to the next position will only be considered once all of the career progression requirements have been satisfied and must be recommended by the employee's supervisor and department head based on the needs of the City. In the event that any of the requirements

(including the supervisor's recommendation/approval) will not be made any future reclassification will not be made retroactive.

The job descriptions for positions within career progression program have two additional sections. *The Series Standard* section briefly explains how work is distinguished for that position just above and just below it. The *Career Progression Requirements* section outlines the requirements that must be satisfied before an employee is eligible for advancement and reclassification to the next position in the occupational series.

Employees advancing/promoting from one position to the next through career progression may receive a pay adjustment as follows:

In the event an employee is promoted to a position of greater demand or of elevated responsibility, the employee may receive a salary increase up to five (5%) percent. If the five percent (5%) increase does not bring the employee's salary up to the entry level salary for the new position the employee will receive the entry level salary for the new position. Any increase exceeding the first quartile of the new position must have mayoral approval, and the employee will receive an appropriate change in job title, serve a six-month promotion/transfer introductory period and at the completion of the six-month introductory period there will be no salary adjustment.

The following positions will be included in the career progression program.

- Police Officer I, II, III
- Equipment Operator I, II, III
- Grounds Maintenance Worker I, II, III
- Building Inspector I, II, III
- Cook I, II
- Wastewater Treatment Plant Operator I, II, III
- Wastewater Collection Operator I, II, III
- Water Systems Operator I, II, III
- Apprentice Mechanic, Journey Mechanic
- Apprentice Lineworker I, II, III, IV

## **12-5 Position Allocation**

All positions not classified as career progression positions will be considered as position allocation positions and employees holding these positions will not advance without a competitive process when a vacancy occurs.

## **12-6 Reclassification of Positions**

Due to possible budget impact, reclassification studies will typically be undertaken in conjunction with the preparation of the yearly operating budget. Any proposed reclassification pay increase will typically not become effective until the beginning of the new fiscal year.

The effective date for any pay increase shall generally be the beginning of the payroll period following City Council action on the pay increase, but this may be changed by the City Council when extenuating circumstances so warrant.

#### **12-7 Regular Full-time and Part-time Compensation Scale**

In conjunction with the annual compensation plan, the Mayor and City Council shall approve a compensation scale for all regular full-time and part-time employees.

#### **12-8 Temporary and Seasonal Compensation Scale**

Annually, the Mayor and City Council shall approve a compensation scale for all temporary and seasonal employees.

#### **12-9 Fair Labor Standards Act**

All employees shall comply with the provisions of the Fair Labor Standards Act (FLSA) as amended and the Department of Labor regulations issued there under pertaining to compensation for overtime work.

**Exemptions.** In accordance with the provisions of the Fair Labor Standards Act, certain positions are "exempt" from the payment of additional money for overtime worked.

**Work period.** For the purpose of complying with the requirements of the FLSA, the workweek shall consist of seven days beginning 12:00 p.m. Friday and ending at 11:59 a.m. Friday. All overtime hours shall be accounted for by the employee on the time sheet during which the hours were worked.

**Joint employment.** A City employee shall not serve as a volunteer for the same job in which he/she is employed by the City.

#### **12-10 Compensatory Time**

As a general rule, the requirement of frequent and considerable overtime within the City shall be considered evidence of under staffing and will be investigated by the Mayor. However, when employees are directed by the department or division supervisor or his duly appointed representative to work extra time in addition to normal working hours, they shall be compensated for overtime or allocated compensatory time if the following conditions are met:

- a. All overtime work must be given proper authorization and/or be known in advance by the supervisor, and
- b. records of all overtime work must be kept by department supervisors with copies to the accounting payroll clerk.

Employee compensation for overtime and allocation of compensatory time shall be governed by applicable Federal and State law, including the Federal Fair Labor Standards Act. Departmental

policies for the use of overtime and compensatory time can be drafted by each department, approved by the City Council, and kept on file in the offices of the Mayor and the City Recorder. All policies shall be in accordance with Resolution 00-21.

**Standards.** Overtime Pay and Compensatory Time shall be governed by and administered in accordance with the Federal Fair Labor Standards Act and applicable Utah State Law.

**Maximum Comptime Accrual.** Each employee may accrue compensatory time up to a maximum of 60 hours (40 regular time hours).

**Minimum Comptime Usage.** No employee will be allowed to use compensatory time until he/she accrued the equivalent compensatory time. If an employee uses compensatory time in excess of that which he/she has accrued, personal leave time will first be used to compensate hours requested. If the employee does not have the equivalent personal leave time then annual leave will be used. If the employee does not have personal leave or annual leave time then the employee must follow the procedures for leave without pay found in the Employee's Policies and Procedures Manual.

**Earned Comptime Payment.** Employees will have all accrued Compensatory Time paid to them in full annually prior to June 30<sup>th</sup>.

**Department Exception.** Individual departments may elect not to allow their department employees to accrue Compensatory Time. For these departments, all overtime will be paid in the pay period the overtime is earned. It shall be the prerogative of the department or division head to prevent the accrual of overtime or compensatory time by limiting employee work time to the standard set by the Federal Fair Labor Standards Act. These departments must have policies approved by the Mayor.

**Exemptions.** The following employees are deemed to be exempt from the overtime provision from the Federal Fair Labor Standards Act.

<u>Department</u>	<u>Position</u>
Administration	Finance Director
Community and Economic Development	Comm. and Econ. Development Director
	Community Development Manager
	City Planner
Electric Department	Public Power Director
Emergency Management	Emergency Services Director
Recreation	Recreation Manager
Library	Library Director
Mayor's Office	City Administrator
	Human Resource Coordinator
Police Department	Police Chief
	Police Lieutenant
Public Works	Public Works Director

Senior Center  
Waste Treatment

Assistant Public Works Director  
Senior Center Director  
Wastewater Treatment Manager

## **12-11 Standby**

Employees, who work in departments which, by nature, require immediate availability of their employees to respond to emergency work requirements, may be placed in a standby status. Standby status is defined as the employee being available for work on a twenty-four hour per day basis for seven consecutive days. While the employee is working the normal eight hour day the location of the employee will be known. However, during the approximate sixteen hours off duty, but on standby status, the employee must be available by means of portable communication, and be able to report to his or her work station within the period of time set by the appropriate departmental policy.

Should an employee who is responsible for standby service be called out on a legal holiday, the employee will be paid straight time for time spent in the required emergency, unless this time means that the total actual work hours for the employee for the week exceed forty hours, then the policy on overtime will apply. The employee is not entitled to another day of holiday because the employee has already been paid for the holiday and in addition is being paid for actual time worked. Standby service shall be in accordance with the Administrative Standby Policy approved by the City Council July 18, 1996.

Current departments and divisions of the City using standby to implement their work program are authorized to continue to do so. These departments/divisions are: Public Works, Electric, Leisure Services and Police.

Other divisions who feel that the implementation of standby time is necessary for their program of work shall make application to the Mayor for approval by memo, indicating at least that the following criteria have been evaluated and the conclusions of that evaluation:

- a. The division's need for "emergency" response on an ongoing basis.
- b. Whether such response is needed on a seasonal or year-round schedule.
- c. Whether a history of such a need and written records exist to justify the request.
- d. Whether the division's budget will support the implementation of standby time in the current fiscal year.

Employees will be compensated for standby time at the rate of their regular pay for fourteen (14) hours for each week of standby service, or the equivalent of compensatory time. Employees will be paid for the hours that they actually work when called out on standby time at their standard rate of pay times the number of hours worked, unless the added hours bring the overtime policy into application. In that case the employee will be paid time and one-half for the appropriate number of hours while on standby time. Standby call out time begins at the point of receipt of the call and continues until the required services are complete.

No employee shall normally be assigned standby duty for more than one two-week pay period at a time. The intention of this policy is that standby time (and therefore pay) shall be rotated among eligible employees. A supervisor may circumvent this policy only in the case of an insufficient number of employees available to do otherwise.

Eligibility for standby service shall be determined by the division director or supervisor based upon job related factors. Standby service may be withheld as a disciplinary action or for reasons of an employee's lack of abilities due to length of service, lack of training, etc. The supervisor shall, however, not discriminate in providing training opportunities or in any other manner in the implementation of this policy.

Employees may be assigned City vehicles in the course of their normal duties or to fulfill standby or other assignments. These vehicles shall only be used for the purpose of City business and shall not be used for personal business. City vehicles shall not be used to transport the families of City employees or others who are not City employees unless such transportation is in the course of the duties of the employee.

## **12-12 Response Time**

The time allowed for City employees to report to duty are as follows:

**Police Department.** In no case shall permission be granted for Law Enforcement Officers to live any greater distance from Brigham City than thirty (30) minutes observing speed limits or twenty (20) minutes maximum response time after notification for employees in standby positions.

**Leisure Services Department.** Employees of the Leisure Services Department shall respond within thirty (30) minutes of the time that a dispatcher or supervisor requests the services of the employee.

**Public Works Department.** Employees of the Public Works Department required to fulfill standby assignments shall be required to respond within thirty (30) minutes of being called to work.

**Electric Department.** Employees of the Electric Department shall be required to respond to work within twenty (20) minutes of notification.